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Annual report of the International Tribunal for the Law of the Sea for 2014

Contents

		Page
I.	Introduction	4
II.	Organization of the Tribunal	4
	A. Changes in the composition of the Tribunal	6
	1. Election of seven members of the Tribunal	6
	2. Solemn declaration	6
	B. Election of the President and the Vice-President	7
III.	Chambers	7
	A. Seabed Disputes Chamber	7
	B. Special chambers	7
	1. Chamber of Summary Procedure	7
	2. Chamber for Fisheries Disputes	8
	3. Chamber for Marine Environment Disputes	8
	4. Chamber for Maritime Delimitation Disputes	8
IV.	Committees	9
	A. Committee on Budget and Finance	9
	B. Committee on Rules and Judicial Practice	9
	C. Committee on Staff and Administration	9
	D. Committee on Library, Archives and Publications	9

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E. Committee on Buildings and Electronic Systems ... 9
F. Committee on Public Relations ... 10
V. Meetings of the Tribunal ... 10
VI. Judicial work of the Tribunal ... 10
A. *The M/V "Virginia G" Case (Panama/Guinea-Bissau)* ... 10
B. *Request for an advisory opinion submitted by the Sub-Regional Fisheries Commission (SRFC)* 16
VII. Communications and information concerning action taken pursuant to judgments and orders of the Tribunal ... 18
VIII. Appointment of arbitrators by the President of the Tribunal pursuant to article 3 of annex VII to the Convention ... 18
IX. Legal matters ... 19
A. Jurisdiction, Rules and judicial procedures of the Tribunal ... 19
1. Declarations made under articles 287 and 298 of the Convention ... 19
2. Rules of the Tribunal ... 19
B. Recent developments in law of the sea matters ... 20
C. Chambers ... 20
X. Agreement on Privileges and Immunities ... 20
XI. Relations with the United Nations ... 20
XII. Headquarters Agreement ... 20
XIII. Finances ... 21
A. Budgetary matters ... 21
1. Budget of the Tribunal for 2015-2016 ... 21
2. Report on budgetary matters for the financial periods 2011-2012 and 2013-2014 ... 21
3. Cash flow situation ... 21
B. Status of contributions ... 22
C. Financial Regulations and Rules ... 22
D. Trust funds and donations ... 22
XIV. Administrative matters ... 23
A. Staff Regulations and Staff Rules ... 23
B. Staff recruitment ... 24
C. Staff Pension Committee ... 24
D. Language classes at the Tribunal ... 25

XV. Buildings and electronic systems 25
A. Building arrangements and new requirements 25
B. Use of the premises and public access 25
XVI. Library facilities and archives 25
XVII. Publications 26
XVIII. Public relations 26
XIX. Capacity-building activities 26
A. Internship programme 26
B. Capacity-building and training programme 27
C. Regional workshops 27
D. Summer academy 28
XX. Visits 28

Annexes

I. Information on staff (2014) 29
II. Information on interns (2014) 31
III. Information on Nippon fellows (2014-2015) 32
IV. List of donors to the Library of the International Tribunal for the Law of the Sea (2014) 34

I. Introduction

1. The present report of the International Tribunal for the Law of the Sea is submitted to the Meeting of States Parties under rule 6, paragraph 3 (d), of the Rules of Procedure for Meetings of States Parties and covers the period from 1 January to 31 December 2014.

2. The Tribunal was established by the 1982 United Nations Convention on the Law of the Sea. It functions in accordance with the relevant provisions of parts XV and XI of the Convention, the Statute of the Tribunal, as contained in annex VI to the Convention, and the Rules of the Tribunal.

II. Organization of the Tribunal

3. The Tribunal is composed of 21 members, elected by the States parties to the Convention in the manner provided for in article 4 of the Statute.

4. In accordance with article 5, paragraph 1, of the Statute, the terms of office of seven members expired on 30 September 2014.

5. Until 30 September 2014, the composition of the Tribunal was as follows:

Order of precedence	*Country*	*Date of expiry of term of office*
President		
Shunji Yanai	Japan	30 September 2014
Vice-President		
Albert Hoffmann	South Africa	30 September 2014
Judges		
Vicente Marotta Rangel	Brazil	30 September 2017
L. Dolliver M. Nelson	Grenada	30 September 2014
P. Chandrasekhara Rao	India	30 September 2017
Joseph Akl	Lebanon	30 September 2017
Rüdiger Wolfrum	Germany	30 September 2017
Tafsir Malick Ndiaye	Senegal	30 September 2020
José Luis Jesus	Cabo Verde	30 September 2017
Jean-Pierre Cot	France	30 September 2020
Anthony Amos Lucky	Trinidad and Tobago	30 September 2020
Stanislaw Pawlak	Poland	30 September 2014
Helmut Türk	Austria	30 September 2014

Order of precedence	*Country*	*Date of expiry of term of office*
James Kateka	United Republic of Tanzania	30 September 2014
Zhiguo Gao	China	30 September 2020
Boualem Bouguetaia	Algeria	30 September 2017
Vladimir Vladimirovich Golitsyn	Russian Federation	30 September 2017
Jin-Hyun Paik	Republic of Korea	30 September 2014
Elsa Kelly	Argentina	30 September 2020
David Joseph Attard	Malta	30 September 2020
Markiyan Z. Kulyk	Ukraine	30 September 2020

6. Since 1 October 2014, the composition of the Tribunal has been as follows:

Order of precedence	*Country*	*Date of expiry of term of office*
President		
Vladimir Vladimirovich Golitsyn	Russian Federation	30 September 2017
Vice-President		
Boualem Bouguetaia	Algeria	30 September 2017
Judges		
Vicente Marotta Rangel	Brazil	30 September 2017
P. Chandrasekhara Rao	India	30 September 2017
Joseph Akl	Lebanon	30 September 2017
Rüdiger Wolfrum	Germany	30 September 2017
Tafsir Malick Ndiaye	Senegal	30 September 2020
José Luis Jesus	Cabo Verde	30 September 2017
Jean-Pierre Cot	France	30 September 2020
Anthony Amos Lucky	Trinidad and Tobago	30 September 2020
Stanislaw Pawlak	Poland	30 September 2023
Shunji Yanai	Japan	30 September 2023
James Kateka	United Republic of Tanzania	30 September 2023
Albert Hoffmann	South Africa	30 September 2023
Zhiguo Gao	China	30 September 2020

Order of precedence	*Country*	*Date of expiry of term of office*
Jin-Hyun Paik	Republic of Korea	30 September 2023
Elsa Kelly	Argentina	30 September 2020
David Joseph Attard	Malta	30 September 2020
Markiyan Z. Kulyk	Ukraine	30 September 2020
Alonso Gómez-Robledo Verduzco	Mexico	30 September 2023
Tomas Heidar	Iceland	30 September 2023

7. The Registrar of the Tribunal is Philippe Gautier (Belgium). The Deputy Registrar is Doo-young Kim (Republic of Korea).

A. Changes in the composition of the Tribunal

1. Election of seven members of the Tribunal

8. The triennial election to fill the positions of seven members whose terms of office expired on 30 September 2014 was held during the twenty-fourth Meeting of States Parties, held from 9 to 13 June 2014.

9. Acting pursuant to article 4, paragraph 2, of the Statute, the Registrar, in a note verbale dated 16 December 2013, invited the States parties to the Convention to submit within the two-month period from 13 January to 12 March 2014 the names of candidates they might wish to nominate for election as members of the Tribunal. An alphabetical list of all persons nominated, with an indication of the States parties having nominated them, was then prepared by the Registrar and submitted to the States parties as document SPLOS/265, dated 17 March 2014. In addition, a list of nominations was posted on the website of the Tribunal in March 2014.

10. On 11 June 2014, the twenty-fourth Meeting of States Parties re-elected Judges Yanai, Hoffmann, Pawlak, Kateka and Paik, and elected Alonso Gómez-Robledo Verduzco and Tomas Heidar.

2. Solemn declaration

11. Pursuant to article 11 of the Statute, all members of the Tribunal are required, before taking up their duties, to make a solemn declaration that they will exercise their powers impartially and conscientiously. The declaration is to be made at the first public sitting at which the member is present.

12. The solemn declaration provided for in article 5 of the Rules was made by Judges Gómez-Robledo and Heidar at a public sitting of the Tribunal on 1 October 2014. Pursuant to paragraph 3 of that article, re-elected members were not required to make a new declaration.

B. Election of the President and the Vice-President

13. On 1 October 2014, the judges elected Judge Vladimir Golitsyn President of the Tribunal and Judge Boualem Bouguetaia Vice-President. The President and the Vice-President entered upon their functions forthwith. As provided for in article 12 of the Statute, both the President and the Vice-President are elected for a term of three years.

III. Chambers

A. Seabed Disputes Chamber

14. In accordance with article 35, paragraph 1, of the Statute, the Seabed Disputes Chamber consists of 11 judges selected by the Tribunal from among its elected members. The members of the Chamber are selected triennially.

15. Pursuant to article 23 of the Rules, the terms of office of members selected on 6 October 2011 expired on 30 September 2014. Until that date, the composition of the Chamber, in order of precedence, was as follows: Judge Golitsyn, President; Judges Marotta Rangel, Nelson, Chandrasekhara Rao, Akl, Wolfrum, Ndiaye, Jesus, Türk, Gao and Bouguetaia, members.

16. During the thirty-eighth session, on 2 October 2014, the Tribunal selected the members of the Seabed Disputes Chamber. As required under the Statute, the judges of the Chamber were selected in such a manner as to ensure the representation of the principal legal systems of the world and equitable geographical distribution. The members of the Chamber entered upon their duties forthwith and elected Judge Jesus President of the Chamber. The composition of the Chamber, in order of precedence, is as follows: Judge Jesus, President; Judges Akl, Ndiaye, Cot, Lucky, Pawlak, Yanai, Kateka, Paik, Kelly and Attard, members.

17. The terms of office of the members of the Chamber expire on 30 September 2017.

B. Special chambers

1. Chamber of Summary Procedure

18. The Chamber of Summary Procedure is established in accordance with article 15, paragraph 3, of the Statute and consists of five members and two alternates. In accordance with article 28 of the Rules, the President and the Vice-President of the Tribunal are ex officio members of the Chamber, with the President of the Tribunal serving as President of the Chamber. The Chamber is constituted annually.

19. During the thirty-eighth session, on 2 October 2014, the Chamber was constituted for the period from 1 October 2014 to 30 September 2015. The members of the Chamber, in order of precedence, are as follows: Judge Golitsyn, President; Vice-President Bouguetaia and Judges Chandrasekhara Rao, Wolfrum and Jesus, members; Judges Cot and Attard, alternates.

2. Chamber for Fisheries Disputes

20. On 20 February 1997, the Tribunal established the Chamber for Fisheries Disputes in accordance with article 15, paragraph 1, of the Statute.

21. The terms of office of the members of the Chamber selected on 4 October 2011 expired on 30 September 2014. Until that date, the composition of the Chamber, in order of precedence, was as follows: Judge Ndiaye, President; Judges Cot, Pawlak, Kateka, Gao, Paik, Kelly, Attard and Kulyk, members.

22. During the thirty-eighth session, on 2 October 2014, the Tribunal selected the members of the Chamber for Fisheries Disputes for a three-year term. The members of the Chamber entered upon their duties forthwith and elected Judge Lucky President of the Chamber. The composition of the Chamber, in order of precedence, is as follows: Judge Lucky, President; Judges Marotta Rangel, Wolfrum, Ndiaye, Yanai, Kateka, Gao, Kulyk and Heidar, members.

23. The terms of office of the members of the Chamber expire on 30 September 2017.

3. Chamber for Marine Environment Disputes

24. On 20 February 1997, the Tribunal established the Chamber for Marine Environment Disputes in accordance with article 15, paragraph 1, of the Statute.

25. The terms of office of the members of the Chamber selected on 4 October 2011 expired on 30 September 2014. Until that date, the composition of the Chamber, in order of precedence, was as follows: Judge Lucky, President; Judges Wolfrum, Cot, Bouguetaia, Golitsyn, Paik and Kelly, members.

26. During the thirty-eighth session, on 2 October 2014, the Tribunal selected the members of the Chamber for Marine Environment Disputes for a three-year term. The members of the Chamber entered upon their duties forthwith and elected Judge Kateka President of the Chamber. The composition of the Chamber, in order of precedence, is as follows: Judge Kateka, President; Judges Pawlak, Hoffmann, Gao, Paik, Kelly, Attard, Kulyk and Gómez-Robledo, members.

27. The terms of office of the members of the Chamber expire on 30 September 2017.

4. Chamber for Maritime Delimitation Disputes

28. On 16 March 2007, the Tribunal established the Chamber for Maritime Delimitation Disputes in accordance with article 15, paragraph 1, of the Statute.

29. The terms of office of the members of the Chamber selected on 4 October 2011 expired on 30 September 2014. Until that date, the composition of the Chamber, in order of precedence, was as follows: Judge Yanai, President; Judges Nelson, Chandrasekhara Rao, Akl, Wolfrum, Ndiaye, Jesus, Cot, Pawlak, Gao and Bouguetaia, members.

30. During the thirty-eighth session, on 2 October 2014, the Tribunal selected the members of the Chamber for Maritime Delimitation Disputes for a three-year term. The members of the Chamber entered upon their duties forthwith. The composition of the Chamber, in order of precedence, is as follows: Judge Golitsyn, President;

Judges Bouguetaia, Chandrasekhara Rao, Wolfrum, Ndiaye, Jesus, Yanai, Hoffmann, Gao, Gómez-Robledo and Heidar, members.

31. The terms of office of the members of the Chamber expire on 30 September 2017.

IV. Committees

32. During the thirty-eighth session, on 2 October 2014, the Tribunal reconstituted its committees. The new composition is as follows.[1]

A. Committee on Budget and Finance

33. The members of the Committee on Budget and Finance are: Judge Akl, Chairman; Judges Jesus, Cot, Yanai, Hoffmann, Gao, Kelly, Attard and Kulyk, members.

B. Committee on Rules and Judicial Practice

34. The members of the Committee on Rules and Judicial Practice are: President Golitsyn, Chairman; Vice-President Bouguetaia; Judges Marotta Rangel, Chandrasekhara Rao, Wolfrum, Ndiaye, Jesus (ex officio member as President of the Seabed Disputes Chamber), Cot, Pawlak, Yanai, Kateka, Hoffmann and Gómez-Robledo, members.

C. Committee on Staff and Administration

35. The members of the Committee on Staff and Administration are: Judge Paik, Chairman; Judges Wolfrum, Jesus, Lucky, Pawlak, Yanai and Attard, members.

D. Committee on Library, Archives and Publications

36. The members of the Committee on Library, Archives and Publications are: Judge Wolfrum, Chairman; Judges Marotta Rangel, Ndiaye, Pawlak, Paik, Kelly, Attard, Kulyk and Gómez-Robledo, members.

E. Committee on Buildings and Electronic Systems

37. The members of the Committee on Buildings and Electronic Systems are: Judge Kulyk, Chairman; Judges Cot, Lucky, Gao and Heidar, members.

[1] For the terms of reference of the committees, see: SPLOS/27, paras. 37-40, SPLOS/50, paras. 36-37, and SPLOS/136, para. 46.

F. Committee on Public Relations

38. The members of the Committee on Public Relations are: Judge Gao, Chairman; Judges Chandrasekhara Rao, Akl, Jesus, Kateka, Kelly, Gómez-Robledo and Heidar, members.

V. Meetings of the Tribunal

39. In 2014, judicial meetings of the Tribunal were held as follows:

(a) **Case No. 19 on the list of cases of the Tribunal (Merits):**

The M/V "Virginia G" Case (Panama/Guinea-Bissau)

The Tribunal met from 13 to 25 February 2014, from 24 to 31 March 2014 and on 10 and 11 April 2014 to consider and adopt the draft judgment. The Tribunal delivered its judgment on 14 April 2014;

(b) **Case No. 21 on the list of cases of the Tribunal (advisory opinion):**

Request for an advisory opinion submitted by the Sub-Regional Fisheries Commission (SRFC)

Initial deliberations of the Tribunal were held on 29 August and 1 September 2014. The oral proceedings took place from 2 to 5 September and the Tribunal met for deliberations from 8 to 26 September 2014. According to the schedule of proceedings, the advisory opinion in this case will be rendered in April 2015.

40. The Tribunal also held two sessions devoted to legal and judicial matters and organizational and administrative matters: the thirty-seventh session was held from 10 to 21 March 2014 and the thirty-eighth session from 29 September to 10 October 2014.

41. The Tribunal decided to hold its thirty-ninth session from 9 to 20 March 2015 to deal with legal matters having a bearing on the judicial work of the Tribunal and with organizational and administrative matters.

VI. Judicial work of the Tribunal

A. *The M/V "Virginia G" Case (Panama/Guinea-Bissau)*

42. On 4 July 2011, proceedings were instituted before the Tribunal through the notification of a special agreement in a dispute concerning the vessel *Virginia G* (case No. 19 on the list of cases).

43. By an order dated 18 August 2011, the President fixed 4 January 2012 as the time limit for the filing of the memorial by Panama and 21 May 2012 as the time limit for the filing of the counter-memorial by Guinea-Bissau.

44. On 30 September 2011, the Tribunal adopted an order authorizing the submission of a reply by Panama and a rejoinder by Guinea-Bissau and fixing 21 August and 21 November 2012, respectively, for the filing of those pleadings.

45. Subsequently, by an order dated 23 December 2011, the President extended the time limits for the submission of the memorial and the counter-memorial to 23 January 2012 and 11 June 2012, respectively. The memorial and the counter-memorial were duly filed within the extended time limits.

46. By an order dated 8 August 2012, the President extended the time limits for the filing of the reply and the rejoinder to 28 August 2012 and 28 November 2012, respectively. The reply and the rejoinder were duly filed within the extended time limits.

47. Both Panama and Guinea-Bissau chose judges ad hoc pursuant to article 17 of the Statute and article 19 of the Rules. Tullio Treves was chosen as Judge ad hoc by Panama and José Manuel Sérvulo Correia was chosen as Judge ad hoc by Guinea-Bissau.

48. In its counter-memorial, Guinea-Bissau had submitted a counterclaim. On 2 November 2012, the Tribunal adopted an order finding that the counterclaim presented by Guinea-Bissau was admissible under article 98, paragraph 1, of the Rules. The Tribunal also authorized the submission by Panama of an additional pleading relating solely to the counterclaim submitted by Guinea-Bissau, and fixed 21 December 2012 as the time limit for the filing. Panama duly filed the additional pleading within that time limit.

49. By a further order, dated 24 April 2013, the Tribunal fixed 2 September 2013 as the date for the opening of the hearing.

50. The hearing took place from 2 to 6 September 2013, during which the parties presented their oral statements at eight public sittings. In accordance with article 75, paragraph 2, of the Rules, the parties presented the following final submissions in relation to the claim:

On behalf of Panama:

"Panama respectfully requests the International Tribunal to declare, adjudge and order that:

"(1) The International Tribunal has full jurisdiction under the Special Agreement and under the Convention to entertain the full claims made on behalf of Panama;

"(2) The claims submitted by Panama are admissible;

"(3) The claims submitted by Panama are well founded;

"(4) The actions taken by Guinea-Bissau, especially those taken on the 21 August 2009, against the *Virginia G*, violated Panama's right and that of its vessel to enjoy freedom of navigation and other internationally lawful uses of the sea in terms of article 58(1) of the Convention;

"(5) Guinea-Bissau violated article 56(2) of the Convention;

"(6) Guinea-Bissau violated article 73(1) of the Convention;

"(7) Guinea-Bissau violated article 73(2) of the Convention;

"(8) Guinea-Bissau violated article 73(3) of the Convention;

"(9) Guinea-Bissau violated article 73(4) of the Convention;

"(10) Guinea-Bissau used excessive force in boarding and arresting the *Virginia G*, in violation of the Convention and of international law;

"(11) Guinea-Bissau violated the principles of articles 224 and 110 of the Convention;

"(12) Guinea-Bissau violated article 225 of the Convention [on the Law of the Sea] as well as the [Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation], as well as the fundamental principles of safety of life at sea and collision prevention;

"(13) Guinea-Bissau violated article 300 of the Convention;

"(14) Guinea-Bissau is to immediately return the gas oil confiscated on 20 November 2009, of equivalent or better quality, or otherwise to pay adequate compensation;

"(15) Guinea-Bissau is to pay in favour of Panama, the *Virginia G*, her owners, crew and all persons and entities with an interest in the vessel's operations, compensation for damages and losses caused as a result of the aforementioned violations, in the amount quantified and claimed by Panama in paragraph 450 of its reply (p. 84), or in an amount deemed appropriate by the International Tribunal;

"(16) As an exception to point 15, the amount of moral damages requested in paragraph 470 of the reply as due to Panama for moral damages is withdrawn, and replaced by a request for a declaration of "satisfaction"/apology to the attention of the Republic of Panama, for the derogatory and unfounded accusations against the *Virginia G* and her flag State and as regards all aspects of the merits of the *Virginia G* dispute as from 21 August 2009;

"(17) Guinea-Bissau is to pay interest on all amounts held by the International Tribunal to be due by Guinea-Bissau;

"(18) Guinea-Bissau is to reimburse all costs and expenses incurred by Panama in the preparation of this case, including, without limitation, the costs incurred in this case before the International Tribunal, with interest thereon; or

"(19) In the alternative to the previous paragraph 15, Guinea-Bissau is to compensate Panama, the *Virginia G*, her owners, crew (or spouse or dependant in the case of Master Guerrero), charterers and all persons and entities with an interest in the vessel's operations in the form of any other compensation or relief that the International Tribunal deems fit."

On behalf of Guinea-Bissau:

"For the reasons given in writing and in oral argument, or any of them, or for any other reason that the International Tribunal deems to be relevant, the Government of the Republic of Guinea-Bissau respectfully requests the International Tribunal to adjudge and declare that:

"(1) The International Tribunal has no jurisdiction about claims related to the vessel *Iballa G*;

"(2) The claims submitted by Panama are inadmissible due to the nationality of *Virginia G*, the absence of a right of diplomatic protection concerning foreigners, or the lacking exhaustion of local remedies, and should therefore be dismissed.

"Alternatively, that:

"(1) The actions of the Republic of Guinea-Bissau did not violate the right of Panama and of the vessels flying her flag to enjoy freedom of navigation and other internationally lawful [uses] of the sea, as set forth in terms of article 58(1) of the Convention;

"(2) Guinea-Bissau laws can be applied for the purpose of controlling the bunkering to fishing vessels in the exclusive economic zone;

"(3) Guinea-Bissau did not violate article 56(2) of the Convention;

"(4) Guinea-Bissau did not violate article 73(1) of the Convention;

"(5) Guinea-Bissau did not violate article 73(2) of the Convention;

"(6) Guinea-Bissau did not violate article 73(3) of the Convention;

"(7) Guinea-Bissau did not violate article 73(4) of the Convention;

"(8) Guinea-Bissau has not used excessive force in boarding and arresting the *Virginia G*;

"(9) Guinea-Bissau did not violate the principles of articles 224 and 110 of the Convention;

"(10) Guinea-Bissau did not violate neither article 225 of the Convention [on the Law of the Sea] nor the [Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation], not even the principles of safety of life at sea and collision prevention;

"(11) Guinea-Bissau did not violate article 300 of the Convention;

"(12) The Republic of Guinea-Bissau has no obligation to immediately return to Panama the discharged gasoil or to pay any compensation for it;

"(13) The Republic of Guinea-Bissau has no obligation to pay in favour of Panama, the *Virginia G*, her owners, crew and any persons or entities with an interest on the vessel's operations any compensation for damages and losses;

"(14) The Republic of Guinea-Bissau has no obligation to give apologies to the Republic of Panama;

"(15) The Republic of Guinea-Bissau has no obligation to pay any interest;

"(16) The Republic of Guinea-Bissau has no obligation to pay costs and expenses incurred by Panama;

"(17) The Republic of Guinea-Bissau has no obligation to pay any compensation or relief to Panama, the *Virginia G*, her owners, charterers or any other persons or entities with interest in the vessel's operation."

51. The Tribunal delivered its judgment in the case on 14 April 2014.

52. The facts of the case may be summarized as follows. The *M/V Virginia G*, an oil tanker flying the flag of Panama, was supplying gas oil to foreign vessels fishing in the exclusive economic zone of Guinea-Bissau when it was arrested on 21 August 2009 by the authorities of Guinea-Bissau for unauthorized sale of fuel. On 27 August 2009, the authorities of Guinea Bissau confiscated the vessel and the gas oil on board "for the repeated practice of fishing-related activities in the form of 'unauthorized sale of fuel to ships fishing in [the] exclusive economic zone [of Guinea Bissau]'". Subsequently, the vessel was released by decision of the authorities of Guinea-Bissau, which was notified to the shipowner on 6 October 2010.

53. In its judgment, the Tribunal found that it had jurisdiction over the dispute and rejected the objections raised by Guinea-Bissau to the admissibility of claims of Panama based on the alleged lack of genuine link between the *Virginia G* and Panama, the nationality of claims and the alleged failure to exhaust local remedies.

54. The main question examined by the Tribunal was whether Guinea-Bissau had violated the Convention when it arrested, and later confiscated, the *Virginia G*. In examining this question, the Tribunal clarified that its task was to deal with a dispute relating to bunkering activities in support of foreign vessels fishing in the exclusive economic zone of a coastal State. The Tribunal then addressed the specific issue of whether Guinea-Bissau, under the Convention, had jurisdiction to regulate bunkering of foreign vessels fishing in its exclusive economic zone. After analysing the relevant provisions of the Convention and the practice of States in that regard, the Tribunal expressed its view that "the regulation by a coastal State of bunkering of foreign vessels fishing in its exclusive economic zone is among those measures which the coastal State may take in its exclusive economic zone to conserve and manage its living resources under article 56 of the Convention, read together with article 62, paragraph 4, of the Convention" and noted that "[t]his view is confirmed by State practice which has developed after the adoption of the Convention" (see para. 217 of the judgment). The Tribunal thus concluded that "the bunkering of foreign vessels engaged in fishing in the exclusive economic zone is an activity which may be regulated by the coastal State concerned", and that "[t]he coastal State, however, does not have such competence with regard to other bunkering activities, unless otherwise determined in accordance with the Convention" (see para. 223 of the judgment).

55. After deciding that the legislation of Guinea-Bissau concerning bunkering of fishing vessels was in conformity with articles 56 and 62, paragraph 4, of the Convention, the Tribunal turned its attention to the question of whether the application of the legislation of Guinea-Bissau in the case of the *Virginia G* had violated the Convention. In that regard, the Tribunal first established, on the basis of the evidence before it, that the *Virginia G* did not have the written authorization required by the legislation of Guinea-Bissau for bunkering. It then examined the sanctions provided for under the laws and regulations of Guinea-Bissau, observing that the legislation of that country contemplated the possibility of confiscating bunkering vessels. On that point, the Tribunal noted that, according to article 73, paragraph 1, of the Convention, the coastal State may take such measures "as may be necessary to ensure compliance with the laws and regulations adopted by it in conformity with this Convention", adding that it was within the Tribunal's competence to establish whether the legislation promulgated by Guinea-Bissau for the exclusive economic zone was in conformity with the Convention and whether the measures taken in implementing this legislation were necessary. In addition, the Tribunal stated that providing for the confiscation of a vessel offering bunkering services to foreign vessels fishing in the exclusive economic zone of Guinea-Bissau was not, per se, in violation of article 73, paragraph 1, of the Convention, and that whether or not confiscation was justified in a given case depended on the facts and circumstances of the case.

56. The Tribunal further examined whether the confiscation of the *Virginia G* and the gas oil on board was justified. On that matter, the Tribunal noted that article 73, paragraph 1, of the Convention referred to the right of coastal States to board, inspect and arrest the vessels concerned, and found therefore that neither the boarding and inspection nor the arrest of the *Virginia G* violated article 73, paragraph 1, of the Convention. It then reiterated that, pursuant to article 73, paragraph 1, of the Convention, the enforcement measures taken have to be "necessary" to ensure compliance with the laws and regulations adopted by the coastal State in conformity with the Convention. In that regard, after determining that the breach of the obligation to obtain written authorization for bunkering and to pay the prescribed fee was a serious violation, the Tribunal observed that the failure to obtain such authorization was rather the consequence of a misinterpretation of the correspondence between the representatives of the fishing vessels and the relevant authorities of Guinea-Bissau than an intentional violation of the national law of Guinea-Bissau. The Tribunal was of the view, in the light of the circumstances of the case, that the confiscation of the vessel and the gas oil on board was not necessary either to sanction the violation committed or to deter the vessels or their operators from repeating the violation. The Tribunal, therefore, found that the confiscation by Guinea-Bissau of the *Virginia G* and the gas oil on board was in violation of article 73, paragraph 1, of the Convention.

57. The Tribunal then addressed the allegations of Panama that Guinea-Bissau had violated article 73, paragraphs 2, 3, and 4, of the Convention. It considered that the applicable law of Guinea-Bissau concerning the prompt release of arrested fishing vessels and their crews upon the posting of a reasonable bond or other financial security was consistent with the provisions of article 73, paragraph 2, of the Convention, finding therefore that Guinea-Bissau did not violate article 73, paragraph 2, of the Convention. With regard to Panama's allegation that, by de facto imprisoning the crew, Guinea-Bissau was in breach of article 73, paragraph 3, of the

Convention, the Tribunal found that, in the case before it, there was no penalty of imprisonment imposed on members of the crew of the *Virginia G* and that Guinea-Bissau therefore did not violate article 73, paragraph 3, of the Convention. The Tribunal also found that, by failing to notify Panama as the flag State of the detention and arrest of the *Virginia G* and subsequent actions taken against the vessel and its cargo, Guinea-Bissau violated the requirements of article 73, paragraph 4, of the Convention and thus deprived Panama of its right as a flag State to intervene at the initial stages of actions taken against the *Virginia G* and during the subsequent proceedings.

58. The Tribunal dismissed the allegations made by Panama that Guinea-Bissau had violated the principles of articles 110, 224, 225 and 300 of the Convention and that Guinea-Bissau had used excessive force in boarding and arresting the vessel.

59. As regards the counterclaim of Guinea-Bissau based on the alleged violation by Panama of article 91 of the Convention, the Tribunal noted that a genuine link existed between Panama and the *Virginia G* at the time of the incident and, therefore, concluded that the counterclaim presented by Guinea-Bissau was unfounded.

60. In the light of its findings that Guinea-Bissau had violated article 73, paragraph 1, and article 73, paragraph 4, of the Convention, the Tribunal considered the issue of reparation due to Panama. In assessing the compensation claims made by Panama, the Tribunal found that only damages and losses related to the value of the gas oil confiscated and the cost of repairing the vessel were direct consequences of the illegal confiscation. It therefore decided to award Panama compensation as follows:

(a) Value of 532.2 tons of gas oil confiscated at a price of $730 per ton in the amount of $388,506.00; with interest at the rate of 2.862 per cent, compounded annually and payable from 20 November 2009 until the date of the judgment;

(b) Cost of repairs to the vessel in the amount of €146,080.80; with interest at the rate of 3.165 per cent, compounded annually and payable from 18 March 2011 until the date of the judgment.

B. *Request for an advisory opinion submitted by the Sub-Regional Fisheries Commission (SRFC)*

61. The Sub-Regional Fisheries Commission is a regional fisheries organization composed of seven member States: Cabo Verde, Gambia, Guinea, Guinea-Bissau, Mauritania, Senegal and Sierra Leone. During its fourteenth session (27-28 March 2013), the Conference of Ministers of the Sub-Regional Fisheries Commission adopted a resolution by which it decided, in accordance with article 33 of the Convention on the Determination of the Minimal Conditions for Access and Exploitation of Marine Resources within the Maritime Areas under Jurisdiction of the Member States of the Sub-Regional Fisheries Commission, of 2012, to authorize the Permanent Secretary of the Commission to seize the Tribunal in order to obtain its advisory opinion on the following matters:

(1) What are the obligations of the flag State in cases where illegal, unreported and unregulated fishing activities are conducted within the exclusive economic zone of third-party States?

(2) To what extent shall the flag State be held liable for illegal, unreported and unregulated fishing activities conducted by vessels sailing under its flag?

(3) Where a fishing licence is issued to a vessel within the framework of an international agreement with the flag State or with an international agency, shall the State or international agency be held liable for the violation of the fisheries legislation of the coastal State by the vessel in question?

(4) What are the rights and obligations of the coastal State in ensuring the sustainable management of shared stocks and stocks of common interest, especially the small pelagic species and tuna?

62. The request was received by the Tribunal on 28 March 2013 and entered in the list of cases of the Tribunal as case No. 21.

63. On 24 May 2013, the Tribunal adopted an order and fixed 29 November 2013 as the time limit for the presentation of written statements. The time limit for the submission of written statements was extended to 19 December 2013 by an order of the President dated 3 December 2013.

64. Within this time limit, written statements were filed by the following States parties to the Convention, which are listed in chronological order by date of submission: Saudi Arabia, Germany, New Zealand, China, Somalia, Ireland, Federated States of Micronesia, Australia, Japan, Portugal, Chile, Argentina, United Kingdom of Great Britain and Northern Ireland, Thailand, Netherlands, European Union, Cuba, France, Spain, Montenegro, Switzerland and Sri Lanka. Within the same time limit, written statements were also submitted by the Sub-Regional Fisheries Commission and the following six organizations, which are listed in chronological order by date of submission: Forum Fisheries Agency, International Union for Conservation of Nature,, Caribbean Regional Fisheries Mechanism, United Nations, Food and Agriculture Organization of the United Nations, Central American Fisheries and Aquaculture Organization. Those written statements were made accessible to the public on the Tribunal's website.

65. A statement by a State not party to the Convention (United States of America) was submitted to the Tribunal. The Tribunal decided that this statement should be considered as part of the case file and should be posted on the Tribunal's website, in a separate section of documents related to the case, entitled "States Parties to the 1995 Straddling Fish Stocks Agreement".

66. In addition, a statement was submitted by a non-governmental international organization (World Wide Fund for Nature), which was informed by the Registrar, in a letter dated 4 December 2013, that its statement would not be considered part of the case file, but would be placed on the Tribunal's website in a separate section of documents relating to the case.

67. By an order dated 20 December 2013, the President fixed 14 March 2014 as the time limit within which States parties to the Convention and intergovernmental organizations having presented written statements could submit written statements on the statements made.

68. Within this time limit, additional written statements were submitted by the following States parties, which are listed in chronological order by date of submission: United Kingdom, New Zealand, European Union, Netherlands and Thailand. Within the same time limit, an additional written statement was also

submitted by the Sub-Regional Fisheries Commission. All the statements were posted on the website of the Tribunal.

69. In addition, a statement was submitted by the World Wide Fund for Nature, which was informed by letter from the Registrar dated 20 March 2014 that its statement would not be included in the case file but would be placed on the Tribunal's website in a separate section of documents relating to the case.

70. By an order dated 14 April 2014, the President fixed 2 September 2014 as the date for the opening of the oral proceedings and invited the States parties, the Sub-Regional Fisheries Commission and the intergovernmental organizations listed in the annex to the order of the Tribunal of 24 May 2013 to participate in these proceedings.

71. Prior to the opening of the oral proceedings, the Tribunal held initial deliberations on 29 August and 1 September 2014.

72. The hearing took place from 2 to 5 September 2014, during which statements were made at four public sittings by the States parties and international organizations in the following order: Sub-Regional Fisheries Commission, Germany, Argentina, Australia, Chile, Spain, Federated States of Micronesia, New Zealand, United Kingdom, Thailand, European Union, Caribbean Regional Fisheries Mechanism and International Union for Conservation of Nature.

VII. Communications and information concerning action taken pursuant to judgments and orders of the Tribunal

73. With respect to *The M/V "Virginia G" Case (Panama/Guinea-Bissau)*, in the course of 2014, the parties communicated information to the Tribunal concerning payment of the compensation awarded to Panama by the Tribunal in its judgment of 14 April 2014. In this regard, a series of letters was exchanged between the parties, copies of which were transmitted to the Tribunal. By letter dated 8 May 2014 addressed to the Agent of Guinea-Bissau, the Agent of Panama requested payment of the compensation "in order to honour and comply with the decision of the [Tribunal]." By communication dated 21 May 2014, the Agent of Guinea-Bissau transmitted a letter to the Agent of Panama stating that "Guinea-Bissau is making all the necessary diligences to comply with the decision of the [Tribunal]". Further to this correspondence, additional communications were exchanged between the parties on the subject.

VIII. Appointment of arbitrators by the President of the Tribunal pursuant to article 3 of annex VII to the Convention

74. In accordance with article 3 of annex VII to the Convention, if the parties to a dispute are unable to agree on the appointment of one or more members of the arbitral tribunal to be appointed by agreement, or on the appointment of the president of the arbitral tribunal, the President of the Tribunal shall make the necessary appointments at the request of any party to the dispute and in consultation with the parties.

75. With regard to the arbitral proceedings instituted under annex VII in the case between the Netherlands and the Russian Federation concerning the vessel *Arctic Sunrise*, it may be recalled that, further to a request from the Netherlands of 15 November 2013, the President of the Tribunal, on 13 December 2013, appointed Alberto Székely Sánchez (Mexico) as an arbitrator in the proceedings, pursuant to article 3 of annex VII to the Convention (SPLOS/267, para. 72). By a letter dated 13 December 2013, the Netherlands requested the President of the Tribunal to appoint three members of the arbitral tribunal being constituted and to name one among them to serve as the president of the arbitral tribunal under annex VII. Further to consultations via correspondence with the parties, the President on 10 January 2014 appointed Thomas Mensah (Ghana), Janusz Symonides (Poland) and Henry Burmester (Australia) as arbitrators and appointed Thomas Mensah as president of the arbitral tribunal.

76. In respect of the arbitral proceedings under annex VII to the Convention instituted by Malta against Sao Tome and Principe in a dispute concerning the vessel *Duzgit Integrity*, it may be recalled that, further to a request from Malta on 4 December 2013, the President, on 27 December 2013, appointed James L. Kateka (United Republic of Tanzania) as arbitrator pursuant to article 3 of annex VII to the Convention (SPLOS/267, para. 73). By a letter dated 4 December 2013, Malta requested the President of the Tribunal to appoint one member of the arbitral tribunal, pursuant to article 3, subparagraphs (c) and (e), of annex VII to the Convention. On 13 March 2014, the President of the Tribunal appointed Alfred Soons (Netherlands) as arbitrator and president of the arbitral tribunal. This appointment was made in consultation with the parties to the dispute.

IX. Legal matters

77. During the period under review, the Tribunal devoted part of its two sessions to the consideration of legal and judicial matters. In this respect, the Tribunal examined various legal issues of relevance to its jurisdiction, its Rules and its judicial procedures. This review was undertaken both by the Tribunal and by its chambers. Some of the main subjects considered are noted below.

A. Jurisdiction, Rules and judicial procedures of the Tribunal

1. Declarations made under articles 287 and 298 of the Convention

78. During the period under review, the Tribunal took note of the information presented by the Registry concerning the status of declarations made under articles 287 and 298 of the Convention.

2. Rules of the Tribunal

79. During the period under review, the Tribunal examined issues relating to the use of experts as provided for in the Convention and the Rules of the Tribunal, on the basis of an information paper prepared by the Registry.

B. Recent developments in law of the sea matters

80. During the period under review, the Tribunal considered reports prepared by the Registry concerning recent developments in law of the sea matters.

C. Chambers

81. During the period under review, the Chambers of the Tribunal held meetings in which they considered reports prepared by the Registry on matters falling under their responsibilities.

X. Agreement on Privileges and Immunities

82. The Agreement on the Privileges and Immunities of the International Tribunal for the Law of the Sea, adopted by the seventh Meeting of States Parties, on 23 May 1997, was deposited with the Secretary-General of the United Nations and opened for signature at United Nations Headquarters for 24 months as from 1 July 1997 (SPLOS 24, para. 27). The Agreement entered into force on 30 December 2001, 30 days after the date of deposit of the tenth instrument of ratification or accession. At the closing date for signature, 21 States had signed the Agreement. As at 31 December 2014, 41 States had ratified or acceded to it.

XI. Relations with the United Nations

83. At the 66th plenary meeting of the sixty-ninth session of the General Assembly, on 9 December 2014, the President of the Tribunal delivered a statement under agenda item 74(a), entitled "Oceans and the law of the sea".[2] In his statement, the President gave an overview of the role played by the Tribunal in exercising its contentious jurisdiction and highlighted the contribution of the Tribunal's jurisprudence to the development of international law and, in particular, the international law of the sea. In that respect, he referred, inter alia, to the *M/V "Virginia G" Case*, in which the Tribunal had delivered its judgment in April 2014. The President emphasized the Tribunal's commitment to advancing the idea of peaceful settlement of disputes by disseminating information and conducting capacity-building programmes.

XII. Headquarters Agreement

84. The Headquarters Agreement between the Tribunal and the Government of the Federal Republic of Germany was signed on 14 December 2004; it defines the legal status of the Tribunal in Germany and regulates the relations between the Tribunal and the host country. In addition to its provisions, the terms and conditions under which the premises are made available to the Tribunal by the Federal Republic of Germany are established in the Agreement between the Tribunal and the Government of the Federal Republic of Germany on the Occupancy and Use of the

[2] The text of the statement is available on the Tribunal's website:www.itlos.org.

Premises of the International Tribunal for the Law of the Sea in the Free and Hanseatic City of Hamburg of 18 October 2000.

85. During the period under review, the Registry, in cooperation with the Federal Building Authorities of Germany, made several improvements to the Tribunal's equipment and systems, in particular with regard to the media technology system in the courtroom.

XIII. Finances

A. Budgetary matters

1. Budget of the Tribunal for 2015-2016

86. The budget proposals for 2015-2016, approved by the Tribunal at its thirty-seventh session, were submitted to the twenty-fourth Meeting of States Parties. The proposals, involving an amount of €20,045,300, were based on an evolutionary approach and guided by the principle of zero growth.

87. The Meeting of States Parties adopted the budget for 2015-2016 in the amount of €18,886,200, which represents a reduction of €1,159,100 compared with the proposed budget. The Meeting of States Parties also requested the Registrar to explore ways of making additional savings in the budget of the Tribunal, keeping in mind the need for the effective functioning of the Tribunal, and to report on this matter to the Meeting of States Parties at its following session.

88. At the thirty-eighth session, the Tribunal considered a report prepared by the Registrar on the implementation of the decision of the twenty-fourth Meeting of States Parties concerning the budget of the Tribunal for 2015-2016. It decided that the matter would be examined at its following session in the light of the budget performance for the financial period 2013-2014, with a view to adopting the report requested by the Meeting of States Parties.

2. Report on budgetary matters for the financial periods 2011-2012 and 2013-2014

89. At its thirty-seventh session, the Tribunal considered the report presented by the Registrar on budgetary matters for the financial periods 2011-2012 and 2013-2014. The report, which was submitted to the twenty-fourth Meeting of States Parties for consideration (SPLOS/268), included the following: information on the surrender of cash surplus for the financial period 2011-2012; the provisional performance report for 2013; and a report on action taken pursuant to the Financial Regulations of the Tribunal (the Tribunal's investments, the Korea International Cooperation Agency trust fund, the Nippon Foundation trust fund, the trust fund for the law of the sea and the China Institute of International Studies trust fund).

3. Cash flow situation

90. At its thirty-seventh and thirty-eighth sessions, the Tribunal took note of the information presented by the Registrar concerning the cash flow situation of the Tribunal.

B. Status of contributions

91. As at 31 December 2014, 122 States parties had made contributions to the 2013-2014 budget, totalling €20,364,586, while 44 States parties had not made any payments with respect to their assessed contributions for 2013-2014. The balance of unpaid contributions with respect to the 2013-2014 budget was €874,534.

92. Furthermore, assessed contributions amounting to €604,515 in respect of the Tribunal's budgets for the financial periods 1996-1997 to 2011-2012 were still pending as at 31 December 2014.

93. The balance of unpaid contributions with respect to the overall budget of the Tribunal amounted to €1,479,049 as at 31 December 2014. In July 2014, the Registrar sent the States parties notes verbales concerning their assessed contributions for the year 2015 of the Tribunal's 2015-2016 budget, and containing information about outstanding contributions to the previous budgets. In December 2014, the Registrar sent notes verbales to the States parties concerned, reminding them of their outstanding contributions to the budgets of the Tribunal.

C. Financial Regulations and Rules

94. The Financial Regulations of the Tribunal, adopted by the thirteenth Meeting of States Parties on 12 June 2003, became effective on 1 January 2004.[3]

95. Pursuant to financial regulation 10.1(a), the Registrar must establish detailed financial rules and procedures in order to ensure effective financial administration and the exercise of economy. In accordance with this provision the Tribunal, at its seventeenth session, approved the Financial Rules, which were submitted to the fourteenth Meeting of States Parties for consideration. The Meeting took note of the Financial Rules of the Tribunal, which, according to rule 114.1, became effective on 1 January 2005 (the Financial Regulations and Rules of the Tribunal are contained in document SPLOS/120).

96. Pursuant to financial regulation 12.1, the twenty-second Meeting of States Parties appointed Ernst & Young GmbH Wirtschaftsprüfungsgesellschaft as the Tribunal's auditor for the financial periods 2013-2014 and 2015-2016.

D. Trust funds and donations

97. On the basis of resolution 55/7, entitled "Oceans and the law of the sea" adopted by the General Assembly on 30 October 2000, a voluntary trust fund has been established by the Secretary-General to assist States in connection with disputes to be settled by the Tribunal. According to information provided by the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations Secretariat, no contributions to the trust fund were made in 2014 and the financial statements of the trust fund showed a balance of $121,335 as at 31 December 2014.

98. In 2007, the Nippon Foundation provided a grant to fund the participation of fellows in a capacity-building and training programme on dispute settlement under

[3] Financial Regulations, regulation 14.1.

the Convention. A trust fund was established by the Registrar for this purpose, pursuant to regulation 6.5 of the Financial Regulations of the Tribunal. For the period 2007-2014, the Nippon Foundation made eight contributions to the grant. As at 31 December 2014, the balance of total reserves stood at €263,775.

99. In 2010, pursuant to a decision of the Tribunal at its twenty-eighth session, the Registrar established a new trust fund for the law of the sea, the terms of reference of which were adopted by the Tribunal and submitted for consideration to the twentieth Meeting of States Parties. The trust fund is intended to promote human resource development in developing countries in the law of the sea and maritime affairs in general. Contributions made to the trust fund are used to provide applicants from developing countries with financial assistance to enable them to participate in the Tribunal's internship programme and the summer academy. States, intergovernmental organizations and agencies, national institutions, non-governmental organizations and international financial institutions, as well as natural and juridical persons, are invited to make voluntary financial or other contributions to the trust fund. Thus far, five contributions have been made to the trust fund to support the internship programme. They are as follows: €25,000 in April 2010, by a company from the Republic of Korea operating in Hamburg; and four contributions in the amount of €15,000 by the Korea Maritime Institute, in October 2011, December 2012, October 2013 and December 2014, respectively. In August 2014, the Institute made an additional contribution to the fund, in the amount of €20,000, to be used for the regional workshop held in Nairobi in cooperation with the Government of Kenya and the Korea Maritime Institute (see para. 131 below). As at 31 December 2014, the balance of total reserves stood at €48,189.

100. In 2012, the China Institute of International Studies provided a grant, in the amount of €100,000, to finance training activities of the Tribunal, including regional workshops, and to provide grants to participants from developing countries in the internship programme and the summer academy. A trust fund was established by the Registrar for that purpose, pursuant to regulation 6.5 of the Financial Regulations of the Tribunal. As at 31 December 2014, the balance of total reserves stood at €15,878.

XIV. Administrative matters

101. During the period under review, the Committees of the Tribunal reviewed various administrative matters within the scope of their activities. Reference is made to some of them in the subsequent paragraphs.

A. Staff Regulations and Staff Rules

102. During the period under review, the Tribunal approved the recommendations of the Committee on Staff and Administration to adopt amendments to the Staff Regulations concerning the retirement age of new staff members, the salary scale for staff in the Professional and higher categories and reimbursement of national income tax. The amendments were intended to ensure compatibility of the Staff Regulations of the Tribunal with the United Nations Common System of Salaries, Allowances and Benefits, pursuant to regulation 12.6 of the Staff Regulations.

103. During the period under review, in the light of the recommendation of the Committee on Staff and Administration, the Tribunal took note of the proposed amendments to the Staff Rules of the Tribunal, inter alia, concerning basic rights and obligations of staff, reinstatement, special leave, sick leave, maternity and paternity leave, disciplinary measures and official travel. Pursuant to regulations 12.2, 12.3 and 12.4 of the Staff Regulations, the amendments to the Staff Rules which were provisional entered into full force and effect on 1 January 2015.

B. Staff recruitment

104. In 2014, the Tribunal recruited staff members for the posts of Legal Officer (P-4) and Associate Administrative Officer (Contributions/Budget) (P-2).

105. At the end of 2014, recruitment was in progress with respect to the posts of Translator/Reviser (P-4), Legal Officer (P-3), Associate Administrative Officer (P-2) and Finance Assistant (G-6).

106. A list of the staff members of the Registry as at 31 December 2014 is contained in annex I to the present report.

107. Temporary personnel were recruited to assist the Tribunal during its thirty-seventh and thirty-eighth sessions and during the hearings and deliberations in case Nos. 19 and 21.

108. The staff of the Registry consists of 37 staff members, 17 of whom are in the Professional and higher categories. The recruitment of staff members in the Professional category, excluding language staff, is subject to the principle of equitable geographical distribution, in accordance with regulation 4.2 of the Staff Regulations. This regulation provides that the paramount consideration in the appointment, transfer or promotion of the staff shall be the necessity of securing the highest standards of efficiency, competence and integrity and that due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible. Taking into account the small number of staff in the Registry of the Tribunal, a flexible regional approach has been followed in that regard.

109. The Tribunal has taken steps to ensure that vacancy announcements are disseminated in such a way as to recruit staff on as wide a geographical basis as possible. Information on vacancies is transmitted to the embassies in Berlin of the States parties to the Convention, and to the permanent missions in New York. The information is also posted on the Tribunal's website and published in the press.

110. The Tribunal applies, mutatis mutandis, the recruitment procedures followed by the United Nations. In accordance with those procedures, the principle of geographical distribution does not apply to the recruitment of General Service staff. However, the Tribunal has also made efforts to recruit General Service staff on as wide a geographical basis as possible.

C. Staff Pension Committee

111. Further to the proposal of the Tribunal, the sixteenth Meeting of States Parties decided that a Staff Pension Committee be established with the following composition: (a) one member and one alternate member to be chosen by the

Meeting; (b) one member and one alternate member to be appointed by the Registrar; and (c) one member and one alternate member to be elected by the staff. Initially, the term of office of members and alternates was two years. The twentieth Meeting of States Parties decided to extend the term of office to three years. The current president of the Committee is Abdoul Aziz Ndiaye (Ambassador of Senegal in Germany).

D. Language classes at the Tribunal

112. English and French classes for Registry staff members were held in 2014.

XV. Buildings and electronic systems

A. Building arrangements and new requirements

113. During the thirty-seventh and thirty-eighth sessions, the Registrar presented reports on building arrangements and use of the Tribunal's premises. Those reports were reviewed by the Committee on Buildings and Electronic Systems, with a view to improving the working conditions of the Tribunal.

B. Use of the premises and public access

114. The following events took place on the premises of the Tribunal during 2014:

- Verband Deutscher Reeder (German Shipowners' Association) seminar in the Villa Schröder, 17 March 2014
- *Maritime Talks*, organized by the International Foundation for the Law of the Sea and held on 22 March 2014
- International Foundation for the Law of the Sea summer academy, from 27 July to 22 August 2014

115. In addition, some 1,000 visitors took part in organized tours of the premises of the Tribunal in 2014.

XVI. Library facilities and archives

116. During the thirty-seventh and thirty-eighth sessions, the Registrar reported on several matters pertaining to the Library, including the collections and an integrated library management system. He also presented reports on the archive collections and databases.

117. A list of donors to the Library is contained in annex IV to the present report.

XVII. Publications

118. The status of the Tribunal's publications was reviewed by the Committee on Library, Archives and Publications during the thirty-seventh and thirty-eighth sessions of the Tribunal.

119. During the period under review, the following volumes were published:

(a) *ITLOS Reports of Judgments, Advisory Opinions and Orders 2013, Vol. 13*;

(b) *ITLOS Pleadings, Minutes of Public Sittings and Documents 2011, Vol. 16*;

(c) *ITLOS Pleadings, Minutes of Public Sittings and Documents 2012, Vol. 17/I and 17/II*;

(d) *ITLOS Pleadings, Minutes of Public Sittings and Documents 2012, Vol. 18*;

(e) *ITLOS Yearbook 2012, Vol. 16*.

XVIII. Public relations

120. During the period under review, the Committee on Public Relations gave consideration to a set of measures to provide information on the work of the Tribunal, including the preparation of a promotional film on the Tribunal, dissemination of information on the Tribunal and participation by representatives of the Tribunal in international legal meetings.

121. The Tribunal publicized its work by means of its website, press releases and briefings by the Registry, as well as through the distribution of its judgments, orders and publications.

122. The Tribunal's website can be accessed at: www.itlos.org and www.tidm.org. The texts of judgments and orders of the Tribunal and verbatim records of hearings are available on the website, together with other information about the Tribunal.

123. In 2014, judges and Registry staff members also delivered lectures and published papers on the work of the Tribunal.

XIX. Capacity-building activities

124. A number of capacity-building activities relating to the work of the Tribunal continued to be conducted in 2014.

A. Internship programme

125. The internship programme of the Tribunal was established in 1997. Applicants from developing countries can receive financial assistance in covering the costs incurred by participating in the programme. From 2004 to 2012, this financial assistance was paid from a trust fund established through a grant provided by the Korea International Cooperation Agency. Since 2012, the assistance has been paid

from the trust fund for the law of the sea established by the Tribunal and from the China Institute of International Studies Grant.

126. As at the end of 2014, a total of 293 interns from 89 States had participated in the programme, with 111 interns benefiting from funding.

127. During 2014, a total of 22 persons from 20 different countries served periods of internship at the Tribunal. A list of participants in the internship programme during 2014 is contained in annex II to the present report.

128. An information sheet and the application form for the programme can be obtained from the Registry or from the Tribunal's website.

B. Capacity-building and training programme

129. In 2014, for the eighth time, a capacity-building and training programme on dispute settlement under the Convention was conducted with the support of the Nippon Foundation. The Nippon Foundation Grant was set up in 2007 to provide capacity-building and training to fellows and assist them in covering the costs incurred by participating in the programme. During the programme, participants attend lectures on topical issues related to the law of the sea and maritime law, and training courses on negotiation and delimitation. They also visit institutions working in the fields of law of the sea, maritime law and dispute settlement (inter alia, the International Court of Justice, the International Hydrographic Organization and the International Maritime Organization). At the same time, participants carry out individual research on selected topics. Information about the programme can be obtained from the Registry or from the Tribunal's website.

130. Nationals of Albania, Cambodia, Madagascar, Mexico, the Congo, Ukraine and Viet Nam are participating in the 2014-2015 programme (July 2014-March 2015). A list of fellows is contained in annex III to the present report.

C. Regional workshops

131. The Tribunal has organized a series of workshops on the settlement of disputes related to the law of the sea in different regions of the world. The purpose of these workshops is to provide government experts working on maritime and law of the sea matters with insight into the procedures for dispute settlement contained in part XV of the Convention, with special emphasis on the jurisdiction of the Tribunal and the procedural rules applicable to cases before the Tribunal.

132. During 2014, a workshop organized by the Tribunal in cooperation with the Government of Kenya and the Korea Maritime Institute was held in Nairobi on 8 August. The subject was the role of the International Tribunal for the Law of the Sea in the settlement of disputes relating to the law of the sea in Eastern and Southern Africa. The workshop was attended by representatives of the Democratic Republic of the Congo, Kenya, Madagascar, Mozambique, Mauritius, South Africa and the United Republic of Tanzania, and of the United Nations Environment Programme and the Southwest Indian Ocean Fisheries Commission.

D. Summer academy

133. The International Foundation for the Law of the Sea held the seventh summer academy at the Tribunal's premises from 22 July to 22 August 2014. The academy focused on "Uses and protection of the sea — legal, economic and natural science perspectives". A total of 41 participants from 33 different countries attended lectures on issues relating to the law of the sea and maritime law. The lectures were given by Judges of the Tribunal and by experts, practitioners, representatives of international organizations and scientists.

XX. Visits

134. During the period under review, the Tribunal received a number of visitors, including in particular holders of political office, diplomats, members of judicial authorities, senior government officials, researchers, academics and lawyers.

Annex I

Information on staff (2014)

Professional and higher categories

Name	*Title*	*Country of nationality*	*Level of post*	*Level of incumbent*
Philippe Gautier	Registrar	Belgium	ASG	ASG
Doo-young Kim	Deputy Registrar	Republic of Korea	D-2	D-2
James Scharfer	Head of Linguistic Services	France	P-5	P-5
Ximena Hinrichs	Senior Legal Officer/Head of Legal Office	Chile	P-5	P-5
Louis Savadogo	Legal Officer	Burkina Faso	P-4	P-4
Elzbieta Mizerska-Diba	Head of Library and Archives	Poland	P-4	P-4
Kafui Gaba-Kpayedo	Head of Personnel, Building and Security	Togo	P-4	P-4
Matthias Füracker	Legal Officer	Germany	P-4	P-4
Vacant	Translator/Reviser		P-4	
Alfred Gbadoe	Information Technology Officer	Germany	P-3	P-3
Jean-Luc Rostan	Translator (French)	France	P-3	P-3
Roman Ritter	Head of Budget and Finance	Germany	P-4	P-3
Vacant	Legal Officer		P-3	
Julia Ritter[a]	Press Officer	United Kingdom	P-2	P-2
Yara Saab	Associate Legal Officer	Lebanon	P-2	P-2
Rosa Jimenez Sanchez	Associate Archivist	Spain	P-2	P-2
Svitlana Hartmann-Vereshchak	Associate Administrative Officer (Contributions/Budget)	Ukraine	P-2	P-2

Total posts: 17

[a] The post of Press Officer is occupied 50 per cent by the incumbent of the post, Ms. Ritter. The remaining 50 per cent is currently occupied by Benjamin Benirschke on the basis of an individual contract.

General Service

Name	*Title*	*Country of nationality*	*Level of post*	*Level of incumbent*
Antje Vorbeck	Administrative Assistant (Personnel)	Germany	G-7	G-7
Andreas Bothe	Building Coordinator	Germany	G-7	G-7
Anke Egert	Publications/Personal Assistant (Registrar)	Germany	G-7	G-7
Jacqueline Winkelmann	Administrative Assistant (Procurement)	Germany	G-7	G-7
Patrice Mba	Information Systems Assistant	Cameroon	G-7	G-7
Ellen Nas	Personal Assistant (President)	Netherlands	G-6	G-6
Berit Albiez	Linguistic Assistant/Judiciary Support	Germany	G-6	G-6
Vacant	Finance Assistant		G-6	
Thorsten Naegler	Administrative Assistant (Contributions)	Germany	G-6	G-6
Elizabeth Karanja	Administrative Assistant	Kenya	G-6	G-6
Béatrice Koch	Linguistic Assistant/Judiciary Support	France	G-6	G-6
Gerardine Sadler	Administrative Assistant	Singapore	G-5	G-5
Emma Bartlett	Personnel Assistant	United Kingdom	G-5	G-5
Anne-Charlotte Borchert[a]	Personal Assistant (Deputy Registrar)	France	G-5	G-5
Svenja Heim	Library Assistant	Germany	G-5	G-5
Henrik Boeck	Finance Assistant (Accounts Payable)	Denmark	G-5	G-5
Sven Duddek	Senior Security Officer/Building Superintendent	Germany	G-4	G-4
Inga Marzahn	Administrative Assistant	Germany	G-4	G-4
Papagne Aziamble	Administrative Support/Driver	Togo	G-4	G-4
Chuks Ntinugwa	Security Officer/Driver	Germany	G-3	G-3

Total posts: 20

[a] The post of Personal Assistant (Deputy Registrar) is occupied 50 per cent by the incumbent of the post, Ms. Borchert. The remaining 50 per cent is currently occupied by Sylvie Fislage on the basis of a temporary appointment.

Annex II

Information on interns (2014)

Name	*State*	*Period*
Meriem Agrebi	Tunisia	April-June
Luca Árpási	Hungary	January-March
Chantal Bennett	Jamaica	July-October
Mohamad Syafiq Bin Sulaiman	Malaysia	July-September
Lucienne Blom	Australia	April-June
Pyalo Meli Bodombossou	Togo	January-March
Polyanna Cleridou	Cyprus	January-March
Leonardo De Camargo Subtil	Brazil	July-September
Qin He	China	April-June
Elena Ivanova	Bulgaria	July-September
Dawoon Jung	Republic of Korea	April-June
Massimo Lando	Italy	July-September
Sarah Cruz Lima	Angola	April-June
Ishara McKenna	South Africa	October-December
Terri McMillan	Trinidad and Tobago	October-December
Claudia Nannini	Italy	January-March
Pablo Nilo-Donoso	Chile	October-December
Maria Persson	Sweden	October-December
Pisal Phal	Cambodia	January-March
Vonintsoa Rafaly	Madagascar	July-September
Paula Ritzmann Torres	Brazil	January-March
Thau Sade	Israel	July-September

Annex III

Information on Nippon fellows (2014-2015)

Marina Ines Batchi Ndoulou (Congo)

Ms. Batchi Ndoulou holds a law degree (*maîtrise en droit privé des affaires*) from the Sahel University in Dakar. She is currently working for the General Direction of the merchant marine of the Congo (*Chef de bureau de la réglementation maritime*). Her tasks include legal assistance in transforming international treaties and conventions to be applicable to national Congolese law.

Adonis Tafangy (Madagascar)

Mr. Tafangy holds a Master of Laws in international maritime law from the International Maritime Organization — International Maritime Law Institute in Malta. In addition, in 2000, he graduated with a Master's degree in business law (*maîtrise en droit des affaires*) from the University of Madagascar in Antananarivo and, in 2008, with a Master's degree in international law from Dalian Maritime University in China. He is currently working as a Legal Officer for the Port, Maritime and Fluvial Agency of Madagascar (*Agence portuaire, maritime et fluviale*).

Pisal Phal (Cambodia)

Mr. Phal holds a French-Cambodian degree in comparative law (*licence franco-cambodgienne en droit compare*) from the University Lyon 2 and graduated with a Master's in international law (*Master 1 en droit international*) in 2012 and a Master's in public international law (*Master 2 en droit international public*) in 2013 from the University Lyon 3. He is currently pursuing a PhD at the University Lyon 3.

Trang Ngoc Minh Pham (Viet Nam)

Ms. Pham holds a Master's degree in international law from the University of Nottingham and a Bachelor's degree in international relations from the University of Social Sciences and Humanities in Ho Chi Minh City. She is currently a lecturer of international law and law of the sea at the same school.

Refik Golli (Albania)

Mr. Golli graduated in 2013 with a Bachelor of law from Justiniani I Paré in Tirana and holds a Bachelor of Arts in international relations from Eastern Mediterranean University of North Cyprus. He is working as a Legal Expert in the Department of Treaties and International Law at the Ministry of Foreign Affairs of Albania. His work comprises questions of international agreements and conventions joined by Albania and a specialization in law of the sea matters.

Olena Ptashenchuk (Ukraine)

Ms. Ptashenchuk holds a Master of Laws in international law from the International Maritime Organization — International Maritime Law Institute in Malta, received a certification based on professional qualifying examinations (legal principles in shipping) of the Institute of Chartered Shipbrokers in London and

graduated with a Master's degree in law of the sea in 2010 from the Odessa National Maritime Academy. Ms. Ptashenchuk is currently a PhD candidate at the Legislation Institute of the Verkhovna Rada of Ukraine.

Christine Isabelle Pichel Medina (Mexico)

Ms. Pichel Medina holds a Master's degree in international studies (with a specialization in international law) from the Graduate Institute Geneva and a Master's degree in European communities and European Union from the Royal Institute of European Studies (Real Instituto de Estudios Europeas) in Zaragoza, Spain. In 2007, Ms. Pichel Medina received her Bachelor of Laws degree (*titulo de licenciado en derecho*) from the National Autonomous University of Mexico. She is currently pursuing her PhD at the Graduate Institute Geneva.

Annex IV

List of donors to the Library of the International Tribunal for the Law of the Sea (2014)[a]

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Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit, Berlin

Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations, New York, New York

Embassy of Iraq, Berlin

European Court of Human Rights, Strasbourg, France

Pablo Ferrara, Groningen Centre of Energy Law, University of Groningen, Netherlands

John Hare, Secretary-General of the Comité Maritime International, Cape Town, South Africa

International Seabed Authority, Kingston

Japan Branch of the International Law Association, University of Tokyo, Faculty of Law, Tokyo

Korea Maritime Institute, Korea Dokdo Research Center, Seoul

Seokwoo Lee, Inha University Law School, Incheon, Republic of Korea

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Northwest Atlantic Fisheries Organization, Dartmouth, Nova Scotia, Canada

Professora Marta Chantal de Cunha Machado Ribeiro, Porto, Portugal

Professor José Manuel Sobrino Heredia, Director, Catedrático de Derecho Internacional Público, Instituto Universitario de Estudios Europeos, Universidade da Coruña, La Coruña, Spain

UNESCO Intergovernmental Oceanographic Commission, Paris

University of Tokyo, Ocean Policy Unit and Tokyo University Policy Alternatives Research Institute, Tokyo

Walther-Schücking-Institut für Internationales Recht an der Universität Kiel, Kiel, Germany

World Trade Organization, Geneva

[a] As at 31 December 2014.